

Message

From: Steven J Goldberg [steven.goldberg@basf.com]
Sent: 2/16/2017 4:28:35 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Philip G. Klein [pklein@cspa.org]
Subject: RE: Worker Language

Rick, yes, I think the intent was clearly to have the stakeholders be part of the assessment process (i.e. getting feedback), not be part of the decision making process per se. With (iv), again, I think the purpose is a stakeholder process on analysis of effectiveness. You can certainly get this from, for example, the quarterly meetings.

Steve

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From: Keigwin, Richard [mailto:Keigwin.Richard@epa.gov]
Sent: Thursday, February 16, 2017 11:26 AM
To: Philip G. Klein <pklein@cspa.org>; Steven J Goldberg <steven.goldberg@basf.com>
Subject: Worker Language

Following up on my conversation with Phil, I just wanted to let you know that the language EPA previously saw in regards to the worker protection set-aside (from January 27, 2017) is different from what is in the current bill.

Here's what's in the current bill, with the **bolded** pieces being new:

(O) with respect to funds in the Pesticide Registration Fund reserved under subsection(c)(3), a review that includes—

- (i) a description of the amount and use of such funds—
 - (I) to carry out activities relating to worker protection under clause(i) of subsection (c)(3)(B);
 - (II) to award partnership grants under clause (ii) of such subsection; and
 - (III) to carry out the pesticide safety education program under clause (iii) of such subsection;
- (ii) an evaluation of the appropriateness and effectiveness of the activities, grants, and program described in clause(i);
- (iii) a description of how stakeholders are engaged **in the decision to fund** such activities, grants, and program; and
- (iv) **with respect to activities relating to worker protection carried out under subparagraph (B)(i) of such subsection, a summary of the analyses from stakeholders, including from worker community-based organizations, on the appropriateness and effectiveness of such activities."**

The language in (iii) on its surface is problematic; we can't engage stakeholders in the "decision to fund" grants. Provided we can read this to mean that we will consider feedback from stakeholders in determining the types of activities to fund using the set-aside, we'll probably be okay.

Paragraph (iv) is completely new. I'm presuming that stakeholders will provide that information and that we won't be required to solicit the information.

I think we can live with both of these changes (with the caveats above), but they are different from what we saw in late January.

